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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chiang, Tony P.; Leeser, Karl F.
Assignee: Novellus Systems, Inc. (reassigned)
Title: Method for Integrated In-Situ Cleaning and Subsequent Atomic Layer Deposition Within a Single Processing Chamber
Serial No.: 09/994,279 Filing Date: November 26, 2001
Examiner: David Nhu Group Art Unit: 2818
Docket No.: PA1688 US

San Jose, California
May 18, 2005

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PATENT**

Dear Sir:

Petitioner, Novellus Systems, Inc., a California corporation having a place of business at 4000 North First Street, San Jose, CA 95134, is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,428,859 B1.

Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The commissioner is authorized to charge the fee of \$130.00 to our Credit Card for this Terminal Disclaimer as set forth in the enclosed Form PTO-2038 and transmittal letter.

The undersigned represents that she is authorized to sign on behalf of Petitioner.

Certificate of Facsimile Transmission	
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
 Attorney for Applicant(s)	<u>5/18/05</u> Date of Signature

Respectfully submitted,


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